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4 IN RE PACIFIC FERTILITY CENTER
5 LITIGATION
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7 Case No. 18-cv-01586-JSC
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10 **ORDER RE: PROPOSED
11 CONSOLIDATION ORDER**
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13 Re: Dkt. No. 552
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15 The Court adopts the following portions of the parties' Proposed Consolidation Order:
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17 **A. General**
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19 1. This Order supersedes the April 30, 2018 consolidation order, which was entered
20 prior to this Court's Order denying Plaintiffs' motion for class certification. (Dkt. No. 17.)
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22 2. Consistent with Rule 42(a) and the Manual for Complex Litigation, Fourth, §
23 10.123, pretrial and trial proceedings between and among the Actions are consolidated.
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25 3. All papers filed in the consolidated action will continue to be filed under Case No.
26 3:18- cv-01586-JSC and must use the above caption.
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28 4. The case file for the consolidated action will continue to be maintained under
Master File No. 3:18-cv-01586-JSC. When a pleading is intended to apply to all actions to which
this Order applies, the words "All Actions" shall appear immediately after the words "This
Document Relates To:" in the caption shown above. When a pleading is intended to apply to only
specified actions, the docket number for each individual action to which the pleading is intended
to apply and the initials of the plaintiffs in that action shall appear immediately after the words
"This Document Relates To:" in the caption shown above, for example, "No. 3:20-cv-04961
(A.A.)."

United States District Court
Northern District of California

1 **B. Discovery**

2 1. All discovery completed in the consolidated action is deemed produced in the Related
3 Actions.
4 2. Discovery of Plaintiffs will proceed in two stages: (1) limited initial discovery related to
5 all plaintiffs in the Related Actions needed for categorization and trial selection; and (2) additional
6 necessary and appropriate discovery conducted in phases according to and in compliance with
7 Plaintiffs' respective trial schedules. The scope of discovery will be governed by the Federal Rules
8 of Civil Procedure.

9 3. Stage 1 will consist of the following initial discovery:

- 10 a. Each Plaintiff in the Related Actions will provide a signed authorization to Chart
11 by September 18, 2020, permitting Chart to obtain the plaintiff's full file from
12 Pacific Fertility Center ("PFC").
13 b. Plaintiffs will produce a list of other treating physicians that are potentially
14 relevant to their claims by September 18, 2020.
15 c. Plaintiffs will produce all PFC medical records in their possession by September
16 18, 2020.

17 The Court will discuss the remaining aspects of the consolidation order and the parties'
18 competing proposals at the Case Management Conference on September 24, 2020 at 1:30 p.m.

19 **IT IS SO ORDERED.**

20 Dated: September 15, 2020

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JACQUELINE SCOTT CORLEY
United States Magistrate Judge